



CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

MAYOR AND COUNCIL PUBLIC HEARING MINUTES TUESDAY, NOVEMBER 25, 2008, 7:00 P.M.

Proposed Resolution to Terminate City of Brunswick Water Service to the Rosemont Service Area and All Current Rosemont Service Area Customers

Dave Dunn highlights staff report, originally given at November 18, 2008 Public Hearing.

Exhibit 9 is entered into record.

Tom Watson—3513 Petersville Road—Gives general background information about Rosemont. States Rosemont has been willing to work with Brunswick on this issue for awhile, however, previous offers have left no room for Rosemont to negotiate.

Joseph Wiles—1234A Rosemont Drive—Rosemont Commissioner—Exhibit 10

Mary Jo Brown—201 North Dayton Avenue—Exhibit 11

Dale Freeman—1313 Rosemont Drive—Brunswick and Rosemont are in this situation together. Chose to live in Rosemont 25 years ago, and expects to have some costs associated with resolution.

Justin Richwagon—1354 Souder Road—City got his attention when he received letter in mail. County won't allow a well on this property, so if City turns off water, he would become homeless.

Bruce Funk—17 West Potomac Street—CPA and auditor for Village of Rosemont. Exhibit 12

Mary Antosca—3638 Petersville Road—Exhibit 13

Steve Harshman—3604 Petersville Road—Believes Rosemont, in paying a higher water rate than in-town users, has been paying their portion for needed repairs for years.

John Clapp—1 West Church Street, Frederick, MD—Village of Rosemont Attorney—Refers to several cases in Maryland law that courts would look at if this case went to litigation. Believes courts would ask the questions: has Brunswick provided water to other out-of-town users, and is Brunswick acting as a public utility by providing water? The answer to both questions is "yes." Maryland municipal law has given power to municipalities for many things, but terminating

service was not one of them. Believes RK&K report, for which proposed resolution is based largely on, is written on many assumptions. Report reads as if Rosemont will be developed in the near future, which it will not. Report also builds in a 30% contingency rate, and 20% legal fees. Believes if these rates were lower, amount of money needed to fund repairs would be significantly less.

Mr. Biser enters meeting at 8:00 p.m.

Kim Cable—807 4th Avenue—Exhibit 14

Jacquelyn Ebersole—1219 Rosemont Drive—Reads statement of Rebecca Trussell—3622 Petersville Road—Exhibit 15. Ms. Ebersole continues with her statements—Exhibit 16.

Concluded at 8:20 p.m.

Brunswick Crossing MXD—Bruce Dell and Jim Castle
Staff report attached.

Kim Cable—4th Avenue—Concerned about schools statistics being included.

Concluded 8:40 p.m.

**MAYOR AND COUNCIL MEETING MINUTES
TUESDAY, NOVEMBER 25, 2008, 8:50 p.m.**

CALL TO ORDER

PLEDGE

ROLL CALL—Johnson, Biser, Allgaier, Stull, Tome, Smith—all present

MAYOR'S REMARKS

APPROVAL OF MINUTES

Mayor and Council—October 14 & 28, 2008

Finance Committee—October 2, 2008

Closed Meeting—October 14, 2008

Motion to approve—Biser

2nd—Allgaier

Vote 6-0

STAFF REPORTS/COMMITTEE REPORTS

Police–Chief Smith
Report attached.

Events–Jody Bruchey
Report attached.

Planning & Zoning–Bruce Dell
Report attached.

Public Works–Al Danaher
Report attached.

Water–Patrick Hoffmaster
Report attached.

Waste Water–Patrick Hoffmaster
Report attached.

View Engineering–Rick Travers
Report attached.

CITIZENS' FORUM

Kim Cable–807 4th Avenue–States her approval of Brunswick Crossing MXD.

CONSENT AGENDA

Employee Appreciation Day–Dave Dunn

One day may be taken by employee on day after Thanksgiving, Christmas, or New Year's. City buildings do not close on this day.

Motion to approve–Stull
2nd–Smith
Vote 6-0

Campground Fee Increase
10% increase in all campground fees.

Motion to approve–Smith
2nd–Allgaier
Vote 6-0

OLD BUSINESS

Department Head Confirmation & Oath of Office

Al Danaher--Public Works
Motion to approve--Allgaier
2nd--Stull
Vote 6-0

Chief John Smith--Police
Motion to approve--Allgaier
2nd--Tome
Vote 6-0

Lieutenant Milt Frech--Police
Motion to approve--Stull
2nd--Johnson
Vote 6-0

Patrick Hoffmaster--Water
Motion to approve--Tome
2nd--Allgaier
Vote 6-0

Mike Campbell--Waste Water
Motion to approve--Stull
2nd--Tome
Vote 6-0

John Gerstner--Public Works Asst.
Motion to approve--Stull
2nd--Allgaier
Vote 6-0

Dave Severn--City Attorney
Motion to approve--Allgaier
2nd--Stull
6-0

View Engineering--Rick Travers
Motion to approve--Stull
2nd--Allgaier
Vote 6-0

Mayor swears in appointed employees and they read oath (Gerstner not present).

NEW BUSINESS

Letter of Credit Reduction–Brunswick Crossing SEC/SWM–Jim Castle
Staff report attached.

Motion to approve–Biser
2nd–Tome
Vote 6-0

Brunswick Crossing MXD–Bruce Dell
Staff report attached.

Motion to accept–Smith
2nd–Biser
Vote 6-0

Adjourned 9:40 p.m.

Approved By: Paul H. Hester 12/6/08
Mayor Date

Witnessed By: Dorel B. Dunn 12/2/08
City Administrator Date